IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.16355 of 2008
MD.SULTAN & ANR
Versus
STATE OF BIHAR
---

3. 03.07.08. This is an application filed under Section 438 Cr.P.C. in connection with Sahebpur Kamal P.S. Case No. 155/07 for offence under Sections 376, 312, 418 and 120B/34 I.P.C.

Heard.

Learned counsel for the petitioners submitted that, though, it is a case of rape and on her becoming pregnant, forcible abortion. But there was no role of the petitioners in the commission of the offence. Learned Counsel for the petitioners further submitted that this informant has also filed two other cases under Section 125 Cr.P.C. and 498(A) I.P.C. (Annexures 3 and 4) making allegation for demand of dowry and torture for the same and those cases no word has been stated by her regarding forcible abortion.

Considering the above submissions and in view of Annexures 3 and 4, the petitioners namely; Md. Sultan and Firoza Khatoon are directed to surrender in the court of the concerned Judicial Magistrate within four weeks from today. In that event of their arrest/surrender within the above period, they shall be enlarged on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Begusarai, in connection with Sahebpur Kamal P.S. Case No. 155/07, subject to the conditions as laid down under Section 438(2) Cr.P.C.

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M. Pal. **(Rekha Kumari,J)**